

March 6, 1973

and that these five requests, request 614, 351, 698, 673 and 572, which you have before you be introduced on behalf of the Judiciary Committee. These particular bills are, this package of bills which I spoke of the other day on the floor, we introduced five last week, these five will constitute the other half, and I want to advise the body in the first place that we do have a time within the time frame of the next week to hear these bills, next Wednesday, within the time frame, so we will have all of our bills heard and we only have two more bills, which will have to be brought into the legislature which deal with the correctional penal reform. This we cannot do until we have some budgetary items cleared up and get together with the appropriations committee. These particular bills, if you will look at the, those stencils together, first of all, the first one, which is request 614, which refers to a referee in a separate juvenile court, we, all of these bills by the way came about through discussions with the Judiciary Committee, either through the summer months throughout our interim work or through the beginning of the first twenty days when we decided we would wait and get these put together in a package. This one deals with separate juvenile courts when they appoint a referee, there has been no means of actually allowing that decision of that referee to have any objections made to it, and because there have been so many bills recently affected by Supreme Court ruling, regarding the rights of juveniles, it has been felt by those who deal in juvenile work that this should be done and we ought to do it now while this matter has been brought to our attention, that is the first one. The second one, request 351, which deals with title standards will eliminate from the, and you know we put so many laws on the books, members of legislature I think that you'd be interested in this, in this bill we will be going the other way and getting forty four sections of the law off the books, which I think is about time if we put some on, we get some out of there and this deals with the forty one title standards which lawyers and title specialists use in determining whether or not you marketable title, we now have forty one of the seventy titles standards used in Nebraska as statutory, the rest are not, they are all being recognized by title opinion, writers, by lawyers, by people working in title work, it is now felt by the experts in the field that it is totally unnecessary to clutter up the law books with these, on the books, because we have them all acceptable anyway in the industry, so those could be removed and it's a kind of a house-keeping bill, which we would like to have done. 698 is the next one, which removes the requirement of general damages be stated in a position, this is when you have a law suit, you have to state the special damages, and now you have to state general damages, by that I mean, say you are in an automobile accident and you have a hospital bill, and costs, damages to your car of a thousand dollars, total, you will state those as special damages, but you might also sue for ten thousand dollars, that's general damages. Usually this amount is either compromised in the law suit or the judge or the jury together through the facts of the law pare this down anyway so it's not really a figure that, it's just a figure to be put on a petition. So this would state that you do not have to, state general damages, just ask for damages, and leave it up to the jury and the court. This makes a lot more sense. Then 673 insures, this is a bail what some places have been called a pocket bail bond law, which our committee has been working on for over a year now and this is the first step, this has been recommended by the municipal court of Lincoln, and the city attorney's office here in Lincoln worked this up and we would like to put it into effect. It is a bill to insure the appearance in court, if you want to have your day in court so to speak, you do not have to pay bail, a bail bondsman to appear if this law is passed. You merely deposit your operator's license with the arresting officer, he then issues a receipt which acts as a temporary license until the appearance